

ORDINANCE NO. 2013-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA, AMENDING CHAPTER 2.85 OF THE SEDONA CITY CODE BY ADDING SECTION 2.85.070 (CALCULATION OF VOTES CAST FOR PRIMARY ELECTION) THEREBY CHANGING THE BASIS FOR CALCULATION OF A MAJORITY OF VOTES CAST AT THE PRIMARY ELECTION; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF ANY ORDINANCE OR PARTS OF ORDINANCES OR CODE PROVISIONS IN CONFLICT HEREWITH.

WHEREAS, the Arizona State Legislature has provided an alternative method of calculation of the votes cast at a city or town election for purposes of determining whether a candidate for mayor or council has received a majority of the votes cast at a primary election may be declared elected pursuant to A.R.S. § 9-821.01.D; and

WHEREAS, the City of Sedona ("City") has consolidated its elections with the State election cycle as required by A.R.S. §16-204 resulting in the calculation of votes cast based on the total number of ballots cast, which could dilute the percentage of votes cast only for a city office, unless the alternative is enacted by the City; and

WHEREAS, the City finds that the adoption of the alternative allowed by State law may reduce election expenses.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA:

I. Section 1: Amendment of Chapter 2.85:

Chapter 2.85 of the Sedona City Code is amended by adding the following Section:

Section 2.85.070 **Calculation of Votes Cast For Primary Election**

In calculating the votes cast in the city primary election for purposes of determining if a candidate for the office of mayor or council has received a majority of the votes cast under A.R.S. § 9-820.01(d), the basis shall be the number of votes cast for the office of mayor at that election.


Section 2. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section 3. Repeal

All other code provisions, ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona,
Arizona this 22nd day of October, 2013.




Robert M. Adams, Mayor

ATTEST:



Susan L. Irvine, City Clerk

APPROVED AS TO FORM:



Mike Goimarac, City Attorney